

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

HOUSTON BAPTIST UNIVERSITY,

Plaintiff,

v.

ACE AMERICAN INSURANCE CO. and
YORK CLAIMS SERVICE, INC.,

Defendants.

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CIVIL ACTION NO. 09-3914

JURY

STIPULATION OF DISMISSAL

Plaintiff HOUSTON BAPTIST UNIVERSITY and Defendants ACE AMERICAN INSURANCE CO. and YORK CLAIMS SERVICE, INC. file this Stipulation of Dismissal under Federal Rule of Civil Procedure 41(a)(1)(ii).

1. The parties have reached a settlement, and the parties, therefore, move to dismiss all claims against all parties with prejudice.
2. Plaintiff and Defendants are all of the parties who have appeared in this action.
3. This case is not a class action, and a receiver has not been appointed.
4. This action is not governed by any statute of the United States that requires an order of the Court for dismissal.
5. None of the parties has previously dismissed an action based on or including the same claims as those presented in this suit.
6. This dismissal is with prejudice.
7. All parties waive any and all fees and costs incurred in defending or prosecuting this action.

Respectfully Submitted,

COZEN O'CONNOR

/s/ Joseph A. Ziemianski

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AND YORK CLAIMS SERVICE, INC.

**MARTIN, DISIERE, JEFFERSON &
WISDOM, L.L.P.**

*/s/ Christopher W. Martin *(Signed by permission)*

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**ATTORNEY FOR PLAINTIFF,
HOUSTON BAPTIST UNIVERSITY**

CERTIFICATE OF SERVICE

I certify that a true copy of this document was served on all counsel of record through the Court's electronic filing system on March 7, 2011.

/s/ Joseph A. Ziemianski

Joseph A. Ziemianski